

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 2/13/13	NEED RESPONSE BY: asap
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: San Bernardino	
3. PHONE NO.:	7. SUBJECT: MPP 63-503.132	
4. REGULATION CITE(S): MPP 63-503.132	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

I am a retired annuitant ALJ assigned to review rehearing requests. The issue below has arisen in a case assigned to me.

This is a question pertaining to the computation of a CalFresh OI for the month of application where there is a prorated benefit of \$9 (application was mid-month). The county contends the OI for the month totals \$140 notwithstanding the claimant's entitlement to a prorated benefit of \$9 for the month of application. The county cites MPP 63-503.132 in support of its position that the claimant should not receive a \$9 offset against the \$140 in benefits issued as no issuance below \$10 should be made, and that the OI for the month should total \$140 rather than \$131, as ordered by the ALJ who heard the case.

10. REQUESTOR'S PROPOSED ANSWER:

The ALJ who heard the case did not cite MPP 63-503.132. My role as a rehearing reviewer is to ensure the state hearing decision complies with program's position. I do not have a proposed answer. It can be argued the county is correct in computing the OI to exclude the \$9. It could also be argued that MPP 63-503.132 does not apply to the computation of OIs when the issuance for the month in question is less than \$10 but pertains only to the separate question of what benefits would actually be issued to a recipient for a given month when the benefit amount is less than \$10.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The original hearing decision is correct. The household was entitled to \$9 in benefits (prorated) for the month of application (November 2011) and therefore this value cannot be considered as part of an OI. MPP 63-503.132 is obsolete due to the implementation of the EBT system, which allows for an amount lower than \$10 to be issued. Prior to EBT, when benefits were issued in the form of coupon booklets, a \$10 booklet was the smallest amount that was printed and any amount less than \$10 could not be issued.

FOR CDSS USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY/ALJ: